

Message Text

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FOLLOWING RSPEAT USUN 253 ACTION SECSTATE INFO MOSCOW
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C O N F I D E N T I A L USUN 253

DEPT PASS JUSTICE--FRANK NILAND

E.O. 11152: GDS

TAGS: PFOR ASEC UR US

SUBJ: STEP-UP IN JDL VIOLENCE

REF: USUN 208; USUN; 207 MOSCOW 0930; MOSCOW 0929;
MOSCOW 0978; USUN 197; USUN 186; USUN 183; STATE 013699;
STATE 13705; MOSCOW 0844; MOSCOW 0857; USUN 170; USUN 171

1. JAN 19 SHOOTING AT SOV MISSION (UKSSR), RECENT SERIES
OF DEMONSTRATIONS AT SOV AND ARAB MISSIONS, STATEMENTS BY
JEWISH DEFENSE LEAGUE LEADERS, RETURN OF RABBI KAHANE AND
OTHER EVIDENCE ALL SUGGEST STEP-UP IN JDL MILITANCE IN
MONTHS AHEAD. USUN IS THEREFORE MAKING THOROUGH REVIEW HERE,
WITH POLICE AND LOCAL OFFICIALS, FBI, AND US ATTORNEY OF
OUR JOINT EFFORTS TO A) PREVENT VIOLENCE AGAINST DIPLOMATS
AND DIPLOMATIC ESTABLISHMENTS AND B) SEE THAT, IF IT DOES
OCCUR, THOSE RESPONSIBLE ARE BROUGHT TO JUSTICE.

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2. WE RECOGNIZE THAT 100 PERCENT PREVENTION IS NOT POSSIBLE, EVEN WITH BEST MEASURES. FURTHERMORE, SOME OF THE NECESSARY ACTION IS NOT WITHIN OUR CONTROL, E.G. ACTION BY STATE AND LOCAL AUTHORITIES AND BY THE COURTS. OUR INITIAL REVIEW, HOWEVER, POINTS TO THREE AREAS WHERE THE FEDERAL GOVERNMENT ITSELF CAN TAKE IMPORTANT AND HIGHLY NEEDED STEPS : (1) APPLICATION OF THE FEDERAL ACT FOR PROTECTION OF DIPLOMATS WHEREEVER POSSIBLE TO JDL OFFENSES; (2) SOME FORM OF FINANCIAL ASSISTANCE TO NEW YORK CITY TO HELP IT PARTIALLY MEET THE EXTRAORDINARY DEMANDS FOR POLICE PROTECTION FOR UN MISSIONS, AND (3) THE CONTINUING EFFECTIVE HELP OF EPS AT PARTICULARLY VULNERABLE MISSIONS WHICH POLICE CANNOT COVER, AND FLEXIBILITY IN MAKING THEIR ASSIGNMENTS.

3. WE RECOGNIZE THAT THE FEDERAL ACT DOES NOT GIVE THE FEDERAL GOVERNMENT EXCLUSIVE JURISDICTION IN CRIMES AGAINST DIPLOMATS AND DIPLOMATIC ESTABLISHMENTS. NEVERTHELESS, WE BELIEVE THAT A POLICE DECISION TO APPLY THE FEDERAL ACT AT THE PRESENT TIME WHEREVER POSSIBLE TO JDL VIOLATORS, RATHER THAN LEAVING THEM TO STATE PROSECUTION, WOULD HAVE A MOST SALUTARY EFFECT. THIS WOULD BE THE CASE NOT ONLY WITH POTENTIAL OFFENDERS, T
DEMONSTRATE THE SERIOUSNESS OF THE US GOVT
IN DEALING WITH THE PROBLEM, BUT ALSO WITH THE SOVIET AND ARAB MISSIONS. THEY CANNOT BE CONVINCED THAT THE US GOVT IS REALLY ATTEMPTING TO FULFILL ITS RESPONSIBILITIES WHEN IT DOES NOT INVOKE THE FEDERAL ACT, AND WHEN SERIOUS VIOLATORS AND REPEATERS, SOME OF WHOM HAVE BEEN CONVICTED UNDER STATE LAWS, REMAIN OUT OF JAIL.
FOREIGN POLICE CONSIDERATIONS, THE REASON FOR THE FEDERAL ACT, ARE IN THESE CIRCUMSTANCES PARAMOUNT.

4. THIS MISSION HAS LONG URGED FINANCIAL ASSISTANCE TO NEW YORK CITY, SO FAR WITHOUT SUCCESS. THERE ARE NOW NEW FACTORS IN THE SITUATION. THE BUDGETARY CRISIS IN NEW YORK HAS LED TO MUCH PUBLICIZED FIRING OF HUNDREDS OF POLICEMEN, WITH SHARP REACTION IN POLICE HIERARCHY ITSELF, AND WITH ATTENDANT PUBLIC PROTEST ABOUT DIMINISHING POLICE PROTECTION FOR NEW YORKERS AGAINST CRIME. ALTHOUGH
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NEW YORK POLICE FORCES HAVE SO FAR NEVER FAILED TO RESPOND TO SECURITY REQUIREMENTS OF UN AND ITS MISSIONS, WE ARE NOT SURE HOW LONG THEY WILL CONTINUE TO BE ABLE TO MAKE PRESENT MASSIVE EFFORT, OR INDEED TO INCREASE THAT EFFORT IF CIRCUMSTANCES SO REQUIRE. WHEN NEW SOVIET APARTMENT COMPLEX OPENS IN RIVERDALE (BRONX), AND WITH ADVENT OF NEW SOVIET CONSULATE GENERAL SHORTLY, THESE ESTABLISHMENTS WILL BE INVITING TARGETS FOR THOSE WHO OBJECT TO SOVIET POLICIES,

AND WILL PUT FURTHER HEAVY BURDENS ON NEW YORK POLICE FORCE.

5. EPS COVERAGE IS AN ESSENTIAL, ALTHOUGH RELATIVELY SMALL, SUPPLEMENT TO POLICE PROTECTION IN NEW YORK SINCE POLICE MAY NOT MAINTAIN FIXED POSTS IN OFFICE BUILDINGS, BUT ONLY ON STREET. NEEDS FOR EPS OF COURSE VARY WITH CIRCUMSTANCES, WHICH AT PRESENT REQUIRE COVERAGE OF ONLY SIX INSTALLATIONS. IN ADDITION TO CONTINUING EPS PRESENCE, WE URGE MORE FLEXIBLE PROCEDURES TO SHIFT COVERAGE FROM ONE MISSION TO ANOTHER IN EMERGENCIES.

6. FINALLY, US ACTIONS HERE TO COUNTER VIOLENT TACTICS AGAINST DIPLOMATS ARE NOT LOST ON FOREIGN GOVERNMENTS, WHOM WE ARE PRESSING TO TAKE MORE EFFECTIVE MEASURES THEMSELVES AGAINST TERRORISM.
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